

### REMARKS

Favorable reconsideration of this application is presently amended and in light of the following discussion is respectfully requested.

Claims 1-15 are pending.

In the outstanding Office Action the Title was objected to; Claims 1 and 13 were rejected as being unpatentable over Kiyose (U.S. Patent No. 7,065,025) in view of Yoshida et al. (U.S. Patent No. 6,552,983), hereinafter Yoshida; Claims 3 and 4 were rejected as being unpatentable over Kiyose in view of Yoshida and in further view of Matsumaru (U.S. Patent Publication No. 2003/0053406); and Claims 5-12, 14 and 15 were indicated as being allowed. Applicants appreciatively acknowledge the identification of allowable subject matter.

In reply, the Title was amended as requested.

Turning to the rejection of Claim 1, Claim 1 is directed to a disk drive that includes among other things a pre-pit detector that outputs a comparison result as a pre-pit detection signal including a pulse with a pulse width. The disk drive also includes a noise remover that is for detecting a noise pulse on the basis of the pulse width. The noise remover then removes the noise pulse from the detection signal.

The outstanding Office Action asserts that Kiyose discloses this feature of a pre-pit detection signal including a pulse having a pulse width and a noise remover for detecting a noise pulse on the basis of the pulse width and then removing the pulse width. Applicants respectfully traverse this assertion. The Office Action asserts that Kiyose, as described in the operation of Figure 1b (this appears to be a mistake since Kiyose only has a Figure 1), and the associated text at column 8, line 51. This text describes a phase lock loop (PLL) detection capability in which noise is “removed predicated upon a window pulse”. The

Office Action further states that “the Examiner interprets such as meeting the pulse width detection limitation of independent Claims 1 and 13”.

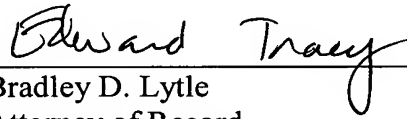
Applicants traverse this assertion because neither Figure 1, nor the text, cited in the outstanding Office Action, describes a pre-pit detection signal having a pulse with a pulse width. Nor does Kiyose describe a noise remover for detecting a noise pulse on the basis of a pulse width. Kiyose merely describes that after controlling a clock signal from a wobble signal the clock signal can be finely adjusted in accordance with the LPP signal. However, the system clock generation circuit (a phase lock loop circuit) operates on feedback without the detection of a noise pulse on the basis of the pulse width. Rather a phase lock loop operates on a feedback principle based on the energy provided through the feedback loop. A phase lock loop does not operate based on a process that detects a particular pulse width.

Therefore, it is respectfully submitted that Kiyose does not disclose the noise remover element of Claim 1. Because Yoshida and Matsumaru do not cure the deficiencies discussed above with regard to Kiyose, it is respectfully submitted that no matter how Yoshida and Matsumaru are combined with Kiyose, the combination cannot teach all of the elements of Claim 1. As a consequence it is respectfully submitted that Claim 1 patentably defines over the asserted prior art. Although of differing statutory class and/or scope, it is respectfully submitted that Claims 13, 3 and 4 also patentably define over the asserted combination of prior art.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-15 is patentably distinguishing over the prior art. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of this application is therefore respectfully requested.

Respectfully submitted,

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